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A Reply to certain publications
concerning George W. Hughes
by Charles Lee Jones of Washing-
ton City.





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A REPLY
TO
CERTAIN PUBLICATIONS
CONCERNING
GEORGE W. HUGHES.
BY
CHARLES LEE JONES,
OF WASHINGTON CITY.

My attention has been called to the following extract of a publication purporting to be a "letter from Baltimore from an occasional correspondent," published some time ago in a newspaper printed in Annapolis, and also to a pamphlet lately put in circulation, entitled, "some facts concerning Col. George W. Hughes for the consideration of the Democracy of Maryland :

LETTER FROM BALTIMORE.

(From an Occasional Correspondent.)

"Among the distinguished Democrats spoken of in this connection, I am pleased to inform you that Col. GEO. W. HUGHES, of your county, has many staunch advocates in this city and in almost every county of the State. Considering that the gallant and gentlemanly Colonel enjoyed the confidence and esteem of General Jackson for many years previous to his death, and that he was one of the first and staunchest supporters of that old Hero's administration, I am not surprised at his popularity among the Democratic Veterans of Maryland. With our young men Col. Hughes is a particular favorite. They consider him just the man to awaken an enthusiasm among the democratic masses, and to carry the State by a triumphant vote. He possesses qualifications for the chief magistracy of our State, equal to any one who may be named in connection with it. He is a logical and polished speaker, and possesses an abundant store of information on almost every sub-

ject. He has formed an extensive acquaintance throughout the State, and all who know him intimately, speak of him in terms of praise. His reputation as a public man is a national one—it is not confined to the limits of our State. During the war with Mexico, the *Washington Union* repeatedly alluded in eulogistic terms to his services in the several capacities which he filled, and the columns of that paper contained productions of his pen, which showed him to possess a mind which the proudest among us might envy. Should the choice of the Democratic Convention fall upon Col. Hughes, he will make a Governor who will prove an honor to old Maryland.

“Certain tools of a would-be Colonel of Washington city, have been at work here to create a prejudice against Col. Hughes, on account of a flogging that was inflicted by his order upon a worthless ruffian soldier in Mexico, but that game has been blocked by respectable and reliable men, whose testimony has been collected through the agency of a democratic gentleman well known to you. I have seen and read the correspondence, and I pronounce it a triumphant vindication of the Colonel from the slanders of his enemies. On that point, therefore, his numerous friends may rest perfectly easy.”

Any one at all acquainted with the habits and the tactics of the “*distinguished*” individual so bepraised in this letter will not fail at once to recognize its author, for who else under the sun could so write, or so think, of George W. Hughes, but that “*distinguished gentleman*” himself. Indeed its whole tenor and style are so like the “*eulogistic terms*” that used to be applied to George W. Hughes in the newspapers during the Mexican war, that now, as then, every body sees the hand-writing on the wall, and knows the author to be this same Geo. W. Hughes.

I am alluded to in this beautiful piece of composition as “a would-be Colonel of Washington city.” Now what is meant by this appellation I do not know, as I happen to hold a commission under the President of the United States of that rank and that title, and therefore am no “would-be Colonel,” as far as rank and title go; but I presume it is intended to refer to the fact that I would have been Colonel during the Mexican war, at the head of troops raised by my personal exertions and at vast pecuniary sacrifices, had it not been for this “*distinguished gentleman’s*” “*consenting to devote his splendid abilities,*” together with his

"*logical and polished speaking*," in intriguing with the then existing administration of the government to commit on me a downright fraud, and acquire to himself the fruits of my labor and exertions, in which he fully succeeded.

"*Certain tools*" of mine are charged with having been at work to create a prejudice against him. Now if I wanted additional ear-marks of the author of this letter I need go no farther than this expression, for it will be readily perceived that he is here judging me by himself, and thinks me capable of the meanness habitual to himself, in employing irresponsible "*tools*" to do what every gentleman should have the honor and courage to do for himself.

But what are these "*tools*" charged with doing, in order to create a prejudice against this "*Distinguished Democrat*?" Nothing more nor less than in speaking *the truth*, in condemning his conduct, while acting as Military and Civil Governor of Jalapa, in Mexico, during the late war, when instead of acquiring the honors and reputation of a soldier fighting the battles of his country as others all around him were doing, he was content with despotic powers as such Governor, and in lording it over those who had, against their will, and in violation of the terms of their enlistment, been placed under his command; and habitually practicing the most atrocious insults and outrages on the volunteer soldiers and citizens, both disgraceful to him, and our country; and degrading to them. History has yet to record the first battle that this "*gallant Colonel*" ever was engaged in, or in any shape or way connected with.

Inasmuch as the most of the men under his command, from the District of Columbia, had been induced, by my "energy, influence and means," to enter the Public Service, and had actually been mustered into the Service as in a Battalion under my command, they naturally looked upon me as one likely to feel some interest in their welfare, and accordingly wrote to me detailing the wrongs and oppressions that were constantly heaped upon them by their "*gallant and gentlemanly Colonel*." Upon which I deemed it my duty to call the attention of Congress to the matter, and accordingly sent in a short memorial setting forth the general

charge of oppressions against Colonel Hughes. In reply to this memorial, the counter-memorial now again published and brought before the public, in the pamphlet lately issued, entitled "Some facts concerning Col. Geo. W. Hughes," &c., made its first appearance. In reply to which, I published, at the time, a pamphlet in the shape of a supplemental-memorial, in which was fully exposed the disreputable means resorted to by Col. Hughes, and his tools, to impose upon the signers of his Counter-memorial. And in order to leave no further room for prevarication and evasion, the general charge of oppression was reduced to the following particulars which never have, in any way, been controverted or disproved :

"I. Insulting, abusive, and most indecent epithets frequently—indeed it might be said habitually—uttered by Captain Hughes against both officers and men on duty, tending to degrade both him who uttered and them who received the abuse, and to subvert all discipline, and all sense of common decency among officers and men.

"Among the many specifications that may be cited of this pernicious and disgraceful demeanor to officers and men, your memorialist states the following as being most indubitably vouched.

"On the 22d February last, Capt. Hughes, being apparently excited and flustered from some unknown cause, came to the parade ground where the regiment was going through some manoeuvres, and immediately poured fourth a volley of abuse against both officers and men ; the epithets were of the most vituperative sort, and were uttered with a tone and manner to make them most offensive ; he repeatedly threatened the men with violence from his own hand. So abusive and insulting was his language and conduct, and so indiscriminately insulting to officers and men, that at last one of the Captains indignantly put up his sword—swore he would not stay to hear either himself or his men insulted in that way, and contemptuously retired from the parade to his quarters. The state of *discipline* was such, that this captain was not brought before a court martial for his open contempt of his superior officer, in the face of the regiment, on parade ; and so, whether the breach of discipline were the fault of the Captain or of the Colonel, has never been *judicially* ascertained.

"II. Frequent, wanton, cruel, and dangerous assaults, committed by Captain Hughes on the men under his command, with his sword ;

sometimes beating and bruising the men with the flat of his sword, at other times cutting and wounding them with its edge; but the lightest of which blows should have cashiered him, as was the fate of an otherwise excellent officer a few years ago, for a blow hastily given to a soldier.

"Your memorialist is now able to specify the following soldiers, as having suffered under this sort of violence, to wit: John Macbeth, Thos. Young, Christopher C. Clements, John Saulsbury, and Alexander H. Harwood, of whom, Macbeth and Young were sorely cut with the edge of the sword, and the others beaten with it; and of whom, Clements, Saulsbury, and Harwood have since died.

"III. Now comes the specification of an act so atrocious as a violation of all law, and of the most sacred rights of the citizen and soldier, and so cruel as a personal infliction on an individual, that your memorialist could not be brought to credit the accounts he received of the commission of the act, till the last spark of his skepticism was extinguished by the testimony of many and credible eye-witnesses.

"A private soldier, and a volunteer in one of the companies from this District, named John T. Davis, was charged in some confused way never well understood, with having assaulted a Mexican woman who kept a house of public resort in Jalapa. Davis, himself, always denied, and yet denies most strenuously, that he was the person who committed the offence; but has always declared that if a proper opportunity had been afforded him he could have proved his own innocence and have thrown the act upon another person; and your memorialist is credibly informed that such is the general belief of his comrades. The question, however, of his own guilt or innocence weighs not the dust in the balance even to mitigate, far less to excuse, the outrageously illegal and cruel tyranny which lacerated his body and weakened his constitution with cruel and ignominious stripes, and subjected him to the lingering ills of penury and disgrace.

"This man (without a hearing, or any fair opportunity to repel the charge) was summarily ordered by Captain Hughes to receive fifty lashes on his bare back. The Captain, it is said, remained in sight, though at some distance, while the stripes were inflicted with all military severity—and just as that number was completed he ran down to the place of punishment and vehemently ordered twenty-five more. Those being inflicted with the same severity, he again ordered twenty-five more; but, as the man seemed cruelly lacerated and exhausted with the seventy-five already inflicted, Captain Hughes humanely suffered himself to be begged out of the remaining twenty-five.

"The man, after remaining in the hospital for some weeks, was disgracefully discharged from the service by the order of his commander, and incurred all the forfeitures incident to such discharges; and had to find his way home in utter penury and destitution, encountering such difficulties by the way that it was only within a few days past that after long, circuitous and painful travel, he at last got back to his friends in Georgetown."

The last case stated above was so atrocious and flagrant a violation of the laws of the United States, passed for the protection of the American soldiers, that a suit at law was brought by Davis against Hughes; which has now established beyond all controversy, by the verdict of twelve of this "distinguished Democrat's" countrymen, the entire truth of this charge. A jury of twelve disinterested and impartial men have punished this "*distinguished gentleman*," with "*a mind the proudest among us might envy*," in a verdict of \$950.00, which is believed to be the heaviest damages ever given by any jury in a case of tort, in this District.

Col. Hughes and his "*tools*" have attempted to palliate and excuse this outrage by asserting that the soldier Davis had committed or attempted a heinous crime upon a virtuous Mexican girl. Yet, notwithstanding this case was continued two terms of the Court, that he might procure evidence of such fact, not the slightest evidence has ever been produced to show that either such a crime or any attempt to commit the same had ever been perpetrated. On the contrary, it was proved on the trial that the only offence committed was an affray in one of the common eating-houses in Jalapa, which was kept by common and degraded Mexican women, in which one of the women received some slight wound; no proof was adduced that Davis had either intentionally or accidentally inflicted that wound. On the contrary, it was proved by a credible and unimpeached witness, that it was most likely the act of another. It is sufficient however to say, that I have conversed on the subject with a hundred or more of the returned volunteers who were in Jalapa, and on the spot at the time, and not one of them while in Mexico ever heard that such a crime had been committed or attempted.

The only testimony adduced on the part of Hughes to support

this charge was that of one Mr. Jarvis, the same person, no doubt, who flourishes so conspicuously in the pamphlet purporting to contain "*some facts*," who testified that he acted as interpreter for Col. Hughes, and was employed to interpret the complaint made by the Mexican woman, who stated that an assault had been made upon her with an attempt to commit a rape. This Mr. Jarvis proved himself to be as "*distinguished*" an interpreter as so "*distinguished a Colonel*" might be supposed to employ, illustrating the adage of the blind leading the blind, for when called upon while on the witness stand to give the Spanish word for rape he did not know it, but gave another and different word.

But even if this testimony of Mr. Jarvis was true, which the jury and every body else who heard it discredited, and a complaint to such effect had been made as stated, it neither palliates nor excuses the atrociously cruel conduct of Col. Hughes, but aggravates and stains his crime with a deeper, still a deeper dye—for him, dressed in a little brief authority, to usurp the powers and prerogatives of both judge and jury, and that in the face of positive and direct law, and upon such evidence and with such an interpreter to try, to convict and to punish an innocent American citizen for so monstrous a crime!

But, guilty or innocent? is not now the question. There were appointed means then and there to have resolved the question. General order No. 287 expressly mentioned among the catalogue of crimes that of rape, or attempt at rape, and *expressly directed* that it should be tried by military commission. This was Col. Hughes' law, as binding on him there as any statute of Maryland would be if he were her sworn Governor, yet he chose to trample it under foot and on the *mere assertion*, (according to his witness Jarvis,) of a Mexican woman, to order an American volunteer to be tied to a cannon and receive 75 lashes on his bare back, in a public plaza, amidst the hoots of the Mexican rabble.

Had any military trial whatever been allowed to Davis, he would probably have proved his entire innocence of any offence, much less the abominable charge that has since been trumped up against him for the purpose of shielding Col. Hughes from the public indignation.

In fine, it will be seen that every opportunity of proving the

justification on which he relies has been afforded to Col. Hughes in a court of justice at the seat of government, and he has signally failed to prove it. He cannot now appeal from the verdict of an impartial jury to *ex parte* certificates. That fair trial to which, under the constitution and laws, Davis was in Mexico entitled, he has here in Washington received.

It has established both that he was innocent and yet was cruelly punished.

I now leave it to the public to decide whether Col. George W. Hughes is (as proclaimed in his pamphlet) "*a gentleman of whom every Marylander ought to feel proud.*"

Annexed is a letter from one of the eminent counsel engaged in the case of Davis against Hughes, from which it will be seen that I have correctly stated the evidence in the case. I also subjoin a short copy of the verdict, not one dollar of which has yet been paid.

CH. LEE JONES, Washington City.

August 1, 1853.

WASHINGTON, August 3, 1853.

MY DEAR SIR :—In the case to which you refer, and as to which you request my statement, it may be sufficient to say that the Court ruled that the scourging of Davis by Col. Hughes' order could not be justified even if the facts were as alleged by Col. Hughes, since the orders in force made it his duty to *try Davis by a Military commission*, and not to sit in judgment himself. But the Court also ruled that Col. Hughes might give in evidence in mitigation of damages, any facts tending to show that he had reasonable ground to believe that Davis had committed the alleged offence. And in support of this, a witness named Jarvis was examined as to the complaint made and examination before Col. Hughes, but no witness as to the fact of the alleged crime. The case was submitted to the jury *without argument*, and they gave a verdict of \$950.00 damages against Col. Hughes.

I believe this is all that is necessary to meet the inquiry made in your note.

Very truly yours,

J. M. CARLISLE.

Col. CHAS. LEE JONES, present.

CIRCUIT COURT WASHINGTON COUNTY.

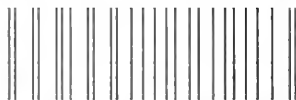
John T. Davis	}	March Term, 1852—23d May. Judgment on verdict for plaintiff \$950 damages and \$295 19 costs.
vs. Geo. W. Hughes.		

Test.

JNO. A. SMITH, Clerk.



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